

Docket: 14177

1632/

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: Joseph Altin

Appln. No.: 10/031,859

Filed: October 26, 2001

Title: MODEL MEMBRANE SYSTEMS

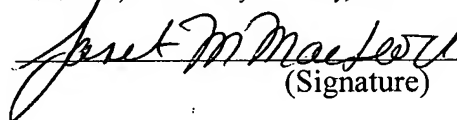
Examiner: Wehbe, Anne Marie Sabrina

Group Art Unit 1632

**RESPONSE TO REQUIREMENT
FOR RESTRICTION**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

I hereby certify that this document is being sent via First Class U. S. mail addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 5th day of January, 2005.


(Signature)

Sir:

This paper is in response to the official communication mailed October 5, 2004 for the above-identified application. Applicants request a two-month extension of time for responding to the communication, and enclose a check in the amount of \$225 in payment of the fee under 37 CFR § 1.17(a)(2).

The Examiner has alleged that Claims 1-39 are directed to more than one species of "membranes," and that the species are not so linked as to form a single general inventive concept. Applicants elect, with traverse, the species of "biological membranes that are not intact cells or liposomes." Applicants traverse the requirement in that the species of membranes each have the special technical features of "membranes," and the search for the species would not create an undue burden.

The Examiner has further alleged that Claims 1-39 are directed to more than one species of molecules, and that the species are not so linked as to form a single general inventive concept. Applicants elect, with traverse, the species of VEGF. Applicants traverse the requirement in that the species of molecules have the special technical features of interacting with the metal chelating group of the amphiphilic molecule in the "membranes" of the invention, and the search for the species would not create an undue burden.

It has been further alleged that Claims 1-39 are directed to more than one species of membrane encapsulated active materials/agents/drugs, and that the species are not so linked as to form a single inventive concept. Applicants elect, with traverse, the species of cytotoxic drugs. Applicants traverse the requirement in that the species of materials/agents/drugs have the special technical feature of being encapsulated within the "membrane," and the search for the species would not create an undue burden.

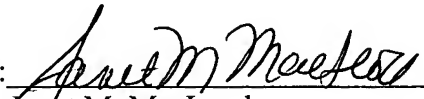
The claims readable on the elected species are 1-21, 23-35, 37 and 39.

Withdrawal of the requirement for the election of species is respectfully requested.

Respectfully submitted,

DORSEY & WHITNEY LLP

Date: January 5, 2005

By: 
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Effective on 12/08/04

JAN 07 2005

FEE TRANSMITTAL SHEET (FY 2005)

Complete if Known

Application No.	10/031,859
Filing Date	10/26/2001
First Inventor	Joseph Altin
Group Art Unit	1632
Examiner Name	Wehbe, Anne Marie Sabrina
Atty. Docket Number	14177

☒ Applicant claims small entity status (see 37 C.F.R. 1.27)

METHOD OF PAYMENT (Check One)

☒ Check ☐ Credit Card ☐ Money Order

☒ Deposit Account No.: 50-2054

Deposit Account Name: DORSEY & WHITNEY LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge any additional fees or underpayments of fee(s) under 37 C.F.R. 1.16 and 1.17

☐ Credit any overpayments

☐ Other (please identify):

Extra Claim Fees

Current Claims	Prior	Extra	Fee	Fee Paid
Total	- 20	=	x \$	= \$
Ind.	- 3	=	x \$	= \$
Multiple Dependent Claims		=	x \$	= \$
Subtotal (Extra Claims)				\$

Petition Fee Under 37 CFR 1.17(f), (g), & (h)

Enclosed is a Petition filed under 37 CFR as indicated below:

☐ Petition Fee under 37 CFR 1.17(f) Fee \$400

§ 1.53(e) to accord a filing date.
§ 1.57(a) to accord a filing date.
§ 1.182 for decision on a question not provided for.
§ 1.183 to suspend the rules.
§ 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent.
§ 1.174(b) to accord a filing date to an application under § 1.740 for extension of patent term.

☐ Petition Fee under 37 CFR 1.17(g) Fee \$200

§ 1.12 for access to an assignment record.
§ 1.14 for access to an application.
§ 1.47 for filing by other than all inventors or person not the inventor.
§ 1.59 for expungement of information.
§ 1.103(a) to suspend action in an application.
§ 1.136(b) for review of a request for ext. of time when § 1.136(a) not avail.
§ 1.295 for review of refusal to publish a statutory invention registration.
§ 1.296 to withdraw a req. for pub. after notice of intent to publish issued.
§ 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent.
§ 1.550(c) for request for ext. of time in *ex parte* reexam. proceedings.
§ 1.956 for request for ext. of time in *ex parte* reexam. proceedings.
§ 5.12 for expedited handling of foreign filing license.
§ 5.15 for changing the scope of a license.
§ 1.5.25 for retroactive license.

☐ Petition Fee under 37 CFR 1.17(h) Fee \$130

§ 1.19(g) to request documents in a form other than provided in this part.
§ 1.84 for accepting color drawings or photographs.
§ 1.91 for entry of a model or exhibit.
§ 1.102(d) to make an application special.
§ 1.138(c) to expressly abandon an application to avoid publication.
§ 1.313 to withdraw an application from issue.
§ 1.314 to defer issuance of a patent.

FEE CALCULATION (Continued)

3. ADDITIONAL FEES

Large Entity Fee	Small Entity Fee	Fee Description	Fee paid
50	25	Surcharge - late provisional filing fee or cover sheet	
130	65	Surcharge - Late nonprovisional filing fee or oath	
180	180	Submission of IDS	
40	40	Recording each patent assignment per property (times number of properties)	
120	60	Extension for reply within first month	
450	225	Extension for reply within second month	225
1,020	510	Extension for reply within third month	
1,590	795	Extension for reply within fourth month	
2,160	1,080	Extension for reply within fifth month	
790	395	Submission After Final 1.129	
500	250	Notice of Appeal	
500	250	Filing a brief in support of an appeal	
1,000	500	Request for oral hearing	
130	65	Terminal Disclaimer Fee	
800	400	Design Issue Fee	
790	395	Request for Continued Examination (RCE)	
130		Request for voluntary publication or republication	
500	250	Petition to Revive - unavoidable	
1,500	750	Petition to Revive - unintentional	
200		Filing for patent term adjustment	
400		Request for reinstatement of term reduced	
1,120		Extension of term of patent	

OTHER FEE
(specify)

Subtotal (Additional Fees) 225

Total Amount of Payment: 225

Submitted by:

CUSTOMER NUMBER

30873

DORSEY & WHITNEY LLP

Name: Janet M. MacLeod

Phone No.: 212-415-9366

Fax No.: 212-953-7201

Signature:

Reg. No.: 35,263

Date: January 5, 2005